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TO:**Name: Examiner Willmon Fridie, Jr.****Fax No.: 1-703-872-9306****FROM:**

Name: Thomas J. Nikolai & Mersereau, P.A. **Fax No.: (612) 349-6556**
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DATE: March 16, 2005 **TIME:** **TOTAL PAGES incl. cover sheet: 7**

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MESSAGE:

Our File 20030153.ORI
Serial No. 10/758,627
Applicant: Donato L. Ricci
Filed: January 15, 2005

Dear Examiner Fridie:

In accordance with our telephone discussion today, attached for your consideration is a complete copy of applicant's Request for Reconsideration that was mailed to the U.S.P.T.O. on December 8, 2004.

I would like your response as to whether the Request for Reconsideration overcomes the double-patenting rejection set out in the Final Office Action of November 30, 2004.

The time you spent in our telephone interview today is much appreciated.

Thomas J. Nikolai
Reg. No. 19,283

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December 8, 2004

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3722****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.	:	10/758,627	:	Confirmation No. 6111
Applicant	:	Donato L. Ricci		
Filed	:	January 15, 2004		
TC/A.U.	:	3722		
Examiner	:	Fridie Jr., Willmon		
Our Docket No.	:	20030153.ORI		
Customer No.	:	23595		

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Request for Reconsideration in response to the Final Office Action dated November 30, 2004 in the above-identified patent application.

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 08-1265.

No additional fee is required.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.


Thomas J. Nikolai

TJN/ljr
Enclosures

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:612 349 6556

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MAR 16 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.	:	10/758,627	:	Confirmation No.	6111
Applicant	:	Donato L. Ricci			
Filed	:	January 15, 2004			
TC/A.U.	:	3722			
Examiner	:	Fridie Jr., Willmon		December 8, 2004	
Our Docket No.	:	20030153.ORI			
Customer No.	:	23595			

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

This Request for Reconsideration is submitted in response to the Final Official Action dated November 30, 2004. In that Action, the Examiner continues to reject claims 1-5 and 10-12 under the judicially-created Doctrine of Double Patenting over claims 1-16 of U.S. Patent 6,447,220. This rejection is respectfully traversed for the reasons already presented in the "Remarks/Arguments" accompanying applicants' amendment of September 10, 2004. In that there is no disclosure in the '220 patent of the presently claimed "second drive means" as defined in element (e) of independent claim 1 and element (c) of independent claim 10, applicants could not have claimed the same subject matter in the '220 patent as is now being claimed in the present application. The Examiner is respectfully requested to identify where in the '220 patent there is any teaching or suggestion of:

"a second drive means including control means for selectively either longitudinally translating the cutting head member axially along the boring bar member while inhibiting radial movement of slide and tool bit or radially translating the slide and tool bit of the annular cutting head member with respect to the longitudinal axis of the boring bar member while inhibiting axial translation of the cutting head member"